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## Auto-Reply Facsimile Transmission

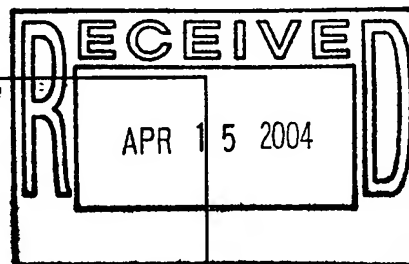


TO: Fax Sender at 9194190383

Fax Information  
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 Total Pages: 11 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
 Cover  
 Page



APR 15 2004 12:19PM JENKINS & TAYLOR NO. 520

### JENKINS, WILSON & TAYLOR, P.A.

#### PATENT ATTORNEYS

SUITE 1400 UNIVERSITY TOWER  
 3100 TOWER BOULEVARD  
 DURHAM, NORTH CAROLINA 27707  
 TELEPHONE: (919) 493-8000  
 FACSIMILE: (919) 419-0383

WEBSITE: WWW.JENKINSWILSONTAYLOR.COM

DATE: April 15, 2004

TO: Office of Initial Patent Examination

FAX NO.: (703) 746-4060

FROM: Gregory A. Hunt

RE: Serial No. 10/743,887 (Our Ref. No. 1427/6)

NUMBER OF PAGES TO FOLLOW: 10

If transmission is poor, or if you do not receive all pages, please call (919) 493-8000 as soon as possible.

COMMENTS: Please see the following attachments:

Transmittal Letter (1 page);  
 Fee Transmittal (Form PTO/SB/17) in duplicate;  
 Copy of Notice to File Missing Parts (2 pages);  
 Response to Notice (2 pages); and  
 Executed Declaration (3 pages).

If you have any questions, please do not hesitate to contact us.  
 Thank you and best regards.

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\* \* \* COMMUNICATION RESULT REPORT ( APR. 15. 20 12:23PM ) \* \* \*

FAX HEADER: JENKINS &amp; WILSON

TRANSMITTED/STORED : APR. 15. 2004 12:19PM  
FILE MODE OPTION

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520 MEMORY TX

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11/11

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
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E-4) NO FACSIMILE CONNECTION**JENKINS, WILSON & TAYLOR, P.A.****PATENT ATTORNEYS**SUITE 1400 UNIVERSITY TOWER  
3100 TOWER BOULEVARD  
DURHAM, NORTH CAROLINA 27707  
TELEPHONE: (919) 493-8000  
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# JENKINS, WILSON & TAYLOR, P.A.

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--

JENKINS  
WILSON  
& TAYLOR

patent attorneys

April 15, 2004

I hereby certify that this correspondence is being transmitted via  
facsimile to Mail Stop Missing Parts, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450 on April 15, 2004

Shaylor E. Dunn

Date of Signature

4/15/04

RICHARD E. JENKINS

JEFFREY L. WILSON

CHARLES A. TAYLOR, JR.

GREGORY A. HUNT

E. ERIC MILLS

BENTLEY J. OLIVE

MICHAEL J. CROWLEY

CHRIS PERKINS, PH.D.

JAMES DALY IV, PH.D.

FFREY CHILDERS, PH.D.

OF COUNSEL  
SOROJINI BISWAS

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/743,887 for METHODS AND  
SYSTEMS FOR HITLESS SWITCH MANAGEMENT MODULE  
FAILOVER AND UPGRADE  
Our File No. 1427/6

Sir:

Enclosed please find the following:

1. A Response to the Notice to File Missing Parts (2 pages);
2. An executed Declaration (3 pages);
3. A copy of the Notice to File Missing Parts (2 pages); and
4. Fee Transmittal (Form PTO/SB/17) in duplicate.

The Commissioner is hereby authorized to charge any fees associated with the  
filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Gregory A. Hunt

Registration No. 41,085

Customer No.: 25297

GAH/sed

Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00

## Complete if Known

Application Number 10/743,887  
Filing Date  
First Named Inventor Rana Dayal  
Examiner Name  
Art Unit 2816  
Attorney Docket No. 1427/6

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

50-0426

Jenkins, Wilson & Taylor, P.A.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Multiple Dependent						<input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Gregory A. Hunt  
Registration No. (Attorney/Agent) 41,085  
Telephone 919-493-8000  
Signature [Signature] Date April 15, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

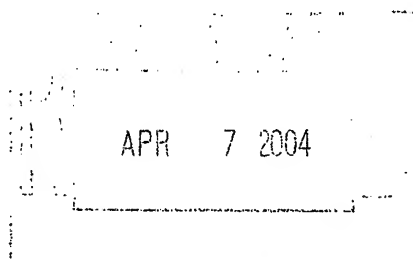


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/743,887	12/22/2003	Rana Dayal	1427/6

25297  
 JENKINS & WILSON, PA  
 3100 TOWER BLVD  
 SUITE 1400  
 DURHAM, NC 27707



CONFIRMATION NO. 2161  
 FORMALITIES LETTER



\*OC000000012270698\*

Date Mailed: 04/05/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

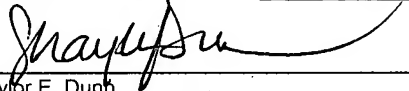
N. Mohammed

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

I hereby certify that this correspondence is being transmitted via facsimile to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 15, 2004

  
Shaylor E. Dunh  
Date of Signature 4/15/04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dayal et al.

Group Art Unit: 2816

**Serial No.: 10/743,887**

Examiner: Not Assigned

Filed: December 22, 2003

Docket No. 1427/6

Confirmation No.: 2161

For: METHODS AND SYSTEMS FOR HITLESS SWITCH MANAGEMENT MODULE  
FAILOVER AND UPGRADE

\*\*\*\*\*

RESPONSE TO NOTICE TO FILE MISSING  
PARTS - FILING DATE GRANTED

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the "Notice to File Missing Parts of Application - Filing Date Granted" dated April 5, 2004, and having a period for response that will expire on June 5, 2004, please find enclosed the following:

An original executed Declaration for the above-referenced U.S. Patent Application.

A copy of the Notice to File Missing Parts is being filed simultaneously.



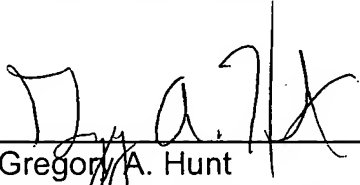
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: April 15, 2004

By:

  
\_\_\_\_\_  
Gregory A. Hunt  
Registration No. 41,085

Customer No.: 25297

1427/6      GAH/sed